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March 2, 2021

**VIA ECF**

Hon. Analisa Torres  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Vidal Solar et al. v. Fresh Direct, LLC et al.*  
Case No. 1:20-cv-03431 (AT)  
**Letter Motion-On Consent**

Dear Judge Torres:

Our firm represents defendants Fresh Direct, LLC and Fresh Direct Holdings, Inc. (“Defendants”), in the above referenced action. We write jointly with Plaintiffs to further update the Court on the status of settlement discussions. As we have previously informed the Court, the parties participated in mediation on January 26, 2021 and made significant progress towards resolving this matter. Though the parties did not reach a settlement, they have scheduled a second mediation session, which was tentatively scheduled for March 16, 2021. Since the parties last update to the Court on February 12, 2021, we learned that mediator Stephen Sonnenberg is no longer available on March 16. We have rescheduled the second mediation to now take place on April 15, 2021. In the interim, the parties continue to work cooperatively and with Mediator Sonnenberg to narrow the issues for the second mediation.

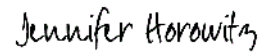
In light of this new mediation date, we respectfully request that the initial pretrial conference, which was recently adjourned to April 13, 2021 (*see* ECF No. 33), be rescheduled to a date after the second mediation. This is the parties’ first request to adjourn this deadline, but their sixth request to adjourn the pre-trial conference in light of their settlement discussions. *See, e.g.*, ECF Nos. 21-24, 26-27, 30-31, 32-33.

Should the Court permit this adjournment, the parties propose that they submit a further status letter to the Court by April 30, 2021 (or at another date preferred by the Court).

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We thank the Court for its attention in this matter.

Respectfully,



Jennifer M. Horowitz

cc: Ossai Miazad, Esq. (via ECF)  
Christopher McNerney, Esq. (via ECF)

GRANTED. The conference scheduled for April 13, 2021, is ADJOURNED to **April 26, 2021**, at **11:00 a.m.** By **April 19, 2021**, the parties shall submit their joint letter and case management plan.

SO ORDERED.

Dated: March 3, 2021  
New York, New York



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ANALISA TORRES  
United States District Judge